

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN STORMS,

Plaintiffs,

V.

C.A. No. 21-534-MN-CJB

LANCIUM LLC, MICHAEL T. MCNAMARA,
and RAYMOND E. CLINE, JR.,

Defendants.

**DEFENDANTS LANCIUM LLC, MICHAEL T. MCNAMARA, AND
RAYMOND E. CLINE, JR.'S MOTION TO DISMISS
COUNTS V AND VI OF THE SECOND AMENDED COMPLAINT**

Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr., (“Defendants”) by and through their undersigned counsel, hereby move the Court for an order, substantially similar to the proposed order attached hereto, granting them judgment pursuant to Fed. R. Civ. P. 12(b)(6) with respect to Plaintiffs BearBox LLC (“BearBox”) and Austin Storms’ (“Storms”) (collectively, “Plaintiffs”) Second Amended Complaint filed on February 16, 2022 (D.I. 103) (the “Second Amended Complaint”). The grounds for this motion are set forth in Defendants’ Opening Brief in Support of its Motion to Dismiss, filed herewith.

Dated: March 16, 2022

BARNES & THORNBURG LLP

/s/ Chad S.C. Stover

Chad S.C. Stover (No. 4919)

1000 N. West Street, Suite 1500

Wilmington, Delaware 19801-1050

Telephone: (302) 300-3474

E-mail: chad.stover@btlaw.com

Mark C. Nelson (admitted pro hac vice)
2121 N. Pearl Street, Suite 700
Dallas, TX 75201
Tel: (214) 258-4140
E-mail: mark.nelson@btlaw.com

Darrick J. Hooker (*pro hac vice* pending)
Adam M. Kaufmann (admitted *pro hac vice*)
Dana Amato Sarros (admitted *pro hac vice*)
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Tel: (312) 214-8319
E-mail: darrick.hooker@btlaw.com
E-mail: adam.kaufmann@btlaw.com
E-mail: dana.sarros@btlaw.com

*Attorneys for Defendants Lancium LLC, Michael T.
McNamara, and Raymond E. Cline Jr.*